

Anniston, Alabama

April 2, 2019

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chambers in the City Hall of the City of Anniston, Alabama, on Tuesday, April 2, 2019, at approximately 5:45 o'clock p.m.

Jay Jenkins, Council member, prayed the Invocation.

Jay Jenkins, Council Member, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Reddick, Harris, and Draper, absent: Council Member Little. A quorum was present and the meeting opened for the transaction of business.

Council Member Little entered the council chambers at 5:46 p.m.

Jay Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

David Reddick, Council Member, stated that he had a concern on the "comments".

David Reddick, Council Member, stated, "On the comments part, my comments were left out, it gave like one sentence but my complete comments weren't included."

Ben Little, Council Member stated that, "We had a discussion on that and likewise as Council Member Reddick, I made a comment I think is very very important to the issue and the matter we were discussing at the time."

Ben Little, Council Member, stated "When we vote on the lease agreement for the Anniston Star Building, I made the statement that I don't think Council Member Jenkins should be voting on that because his wife is employed there. And I stated that maybe you should ask the attorney."

Ben Little, Council Member, stated "And that's, those are pertinent things that have happened in the past so if somebody can, just theoretically, someone can get charged for something [when they have] done nothing as far as financial gain and somebody else on the council can do something. That's why I made those points...I know the tapes are there but there are certain things, of those matters, that are pertinent, at least should be in the minutes."

David Reddick, Council Member, stated that he made a concern about the city manager in his comments and that did not make the minutes however someone else made a expression of delight for the city manager and that did.

David Reddick, Council Member, stated, "So I don't think that is fair, it makes it look like were praising him and he's not taking any criticism and I said it for a reason, so I want that reflected in the minutes that I brought it up in the last minutes and it was left out of this minutes."

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the March 19, 2019 regular meeting. The motion was seconded by Council Member Harris and on call of the roll

the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The motion carried.

Mayor Draper made a motion to approve the agenda with the additions/deletions of:

- Adding Board Confirmations, under Formal Public Comment, Maryann Gendron and Calvin Bowie to the Highland Health Systems board and Mike Reese to the Downtown Development Authority
- Removing Items E: A Motion to approve the bid to Sunny King Ford in the amount of \$25,053.54 for one (1) 2019 Ford F-150 XL Super Cab for the Museum, and Item F, A motion to approve the bid for Sunny King Ford in the amount of \$27,240.42 for one (1) 2019 F-150 Super Crew Cab for PARD from the Consent agenda as standalone motions.
- Adding to the Consent Agenda a Resolution Appointing Shanika Pittman to the Main Street Anniston Board
- Adding a standalone motion: Mayor Draper will make a motion to suspend the rule requiring the City Council to meet on the first Tuesday of May 2019 and to schedule a council meeting on Tuesday May 21st at 5:30
- Removing Both Ordinances, Ordinance to amend Chapter 31, Article III, Sections 31.41 and 31.44 of the City Code of the City of Anniston, Alabama regulating ambulance service and Ordinance amending Ordinance 16-O-24, The Council Procedural Ordinance from consideration, both ordinance are on a first reading
- Adding a motion for the City Council to hire Lehr, Middlebrooks, Vreeland & Thompson, a Birmingham-based law firm, to investigate the claims brought by the City Manager, Jay Johnson

The motion was seconded by Council Member Jenkins and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the amended agenda was approved.

Robert Avery, US Census Bureau, addressed the Council on the 2020 Census; they are in the community hiring people for positions: verifiers and canvassers. These jobs offer \$13.50-\$17.00/hour, through Sunday-Saturday. He stated that the application can be found online at 2020Census.gov/jobs and you have to be at least 18 years old to apply.

Mayor Draper introduced the Youth Council:

- Anniston High School: Tamera Harding and Tajh Jones
- Faith Christian School: Emma Rutledge and Sam Thacker
- The Donohue School: Virginia Huto and Devin Clapper
- Sacred Heart Catholic School: Sophia Allen and Zayn Merrian

In addition, he thanked Rueben Mitchell, one of the chaperones on the Washington Trip to the National League of Cities Conference, for his assistance.

Council Member Harris stated that the Youth Council is the future and thanked them for wanting to be engaged.

Council Member Little stated that it is not always that the council gets a unanimous vote, but they did in reference to the Youth Council. He stated that the Youth Council has inspired the Council to work together.

Council Member Reddick stated that he would love to work on a program with the Youth Council.

Council Member Jenkins stated that is thrilled to have the Youth Council standing before the council, and wants to help them understand the local government process.

Glen Ray, 3514 Dale Hollow Rd, addressed the council on asking the City Manager to bring in an outside source to handle issues in the Municipal Court. He stated that the city should not take advantage of people who they think don't know the law.

Ralph Bradford, Citizen of Anniston, addressed the council on two things the Mayor said at the previous meeting regarding Robert's Rule of Order and Race. Mr. Bradford references *Lozman v. City of Riviera Beach, Florida*.

Chief Shane Denham and Captain Nicholas Bowles escorted Mr. Bradford from the council chambers after being told by Mayor Draper that he had exceeded his time limit.

Clay Gresham addressed the council on behalf of the Anniston Middle School students; they were selected among several schools throughout the country for the opportunity to receive a \$3,000.00 grant if they win the contest through Cable One.

Mayor Draper introduced his nomination to the Highland Health Systems Board, Maryann Gendron.

David Reddick, Council Member, announced his board appointment to Highland Health Systems Board, Calvin Bowie.

Ben Little, Council Member, announced his board appointment to the Downtown Development Authority Board, Mike Reese.

David Reddick introduced his nomination to the Main street Anniston Board, Shanika Pittman.

Mayor Draper made a motion to remove Resolution 19-R-20, A Resolution declaring a reported condition to be a public nuisance. Group 2019-01 Grass, Debris, & Vehicles from the table. The motion was seconded by Council Member Reddick and on the call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-20 was removed from the table.

Mayor Draper made a motion for passage and adoption of Resolution 19-R-20, A Resolution declaring a reported condition to be a public nuisance. Group 2019-01 Grass, Debris, & Vehicles. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: none; nays: Council Member Jenkins, Reddick, Little, Harris, and Draper. The motion failed.

Mayor Draper made to approve the consent agenda with the removal of items e and f as standalone motions, and add a Resolution to appoint Shanika Pittman to the Main street Anniston Board:

- (A) Resolution authorizing reimbursements to City Officials for expenses incurred while traveling away from the City. *(19-R-138)*
- (B) Resolution reappointing members to the McClellan Development Authority *(19-R-139)*

- (C) Resolution appointing members to the Highland Health Systems Board (19-R-140)
- (D) Resolution appointing members to the Downtown Development Authority (19-R-141)
- (E) Motion to approve a bid for Sunbelt Fire Inc., in the amount of \$ 36,284.76 for a 600PSI Compressor System for the Fire Department
- (F) Resolution appointing members to the Main street Anniston Board (19-R-142)

The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the Amended Consent Agenda was approved.

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only) Retail Table Wine (Off Premises Only) for Mansour LLC d/b/a Mini Market Plus 2 located at 1020 Highway 431 N in the police jurisdiction. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only) Retail Table Wine (Off Premises) for NOOOR LLC d/b/a Model City Market located at 2328 Noble Street within the city limits. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Council Member Reddick made a motion to approve a Special Events License for City of Anniston d/b/a Noble Street Festival on Saturday, April 13, 2019. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded, ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Council Member Reddick made a motion to authorize the City Manager to execute a Lease Agreement with Teresa Venable d/b/a J Carolyn Catering for the Multi-Modal Transportation Center Food and Beverage Concessions. The motion was seconded by Council Member Jenkins, and on call of the roll the following vote was recorded, ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper nays: none. The motion carried.

Mayor Draper made a motion to approve a bid to Sunny King Ford in the amount of \$25,053.54 for one (1) 2019 Ford F-150 XL Super Cab for Museum. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded, ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper nays: none. The motion carried.

Mayor Draper made a motion to approve a bid to Sunny King Ford in the amount of \$27,240.42 for one (1) 2019 F-150 Super Crew Cab for PARD. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded, ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper nays: none. The motion carried.

Mayor Draper made a motion to retain the firm of Lehr, Middlebrooks, Vreeland & Thompson, a Birmingham-based law firm, to investigate certain claims made by the City Manager, Jay Johnson against certain council members. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: none; abstentions: Council Member Reddick and Little. The motion carried.

Council Member Little stated that the names should be stated of who the allegations and complaints are against. He stated that he looks forward to a public debate on race. In addition, to state why he called the city manager racist.

Council Member Reddick stated that he looks forward to the investigation but wishes it would be broader. He stated that he hopes that there would be some resolve as a result.

Mayor Draper made a motion to suspend the rule requiring the City Council to meet on the first Tuesday of May 7 2019 and to schedule a council meeting on Tuesday May 21st at 5:30. The motion was seconded Council Member Jenkins and on call of the roll the following vote was recorded, ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper nays: none. The motion carried.

Council Member Jenkins wanted to thank the Youth Council for sticking with them through the entire Council Meeting.

Council Member Reddick wanted to thank two previous council members: Mr. Montgomery and Pastor Dunn for staying engaged; If your kids need something to do bring them to Carver Center for Something to DO Sundays to keep them busy and out of trouble; It is important that we watch out for our community and watch out for our kids, it is very important to take care of our children.

Council Member Little stated that they were supposed to have on the agenda tonight Section 5 of the voting rights act of 1965, that stated the vote done in 1971 to go to Council Manager form of government was not precleared by the Justice Department at that time. He stated that they were suppose to vote to go to the Justice Department or the Federal Court to get clarity. Since there was, a second by Council Member Reddick to go forward, this request needs to be placed on the next agenda. As far as funding, \$23,650.86 went to Braxton Harris for a building. This is just part of the things not all of the proof, that when you are sitting on the Council in violation of the law according to the Ethics and Attorney General. The forgivable loan that was given a while back, they should have submitted something to the city at the close of each fiscal year. Also, was that money reported to the IRS?

Council Member Harris stated that our Parks and Recreation hosted over 150 of Anniston youth for Spring Break. Earth Day is coming soon and wanted to thank those individuals, in our community, taking tiny steps to protect our planet. She wanted to thank those who are investing in downtown.

Mayor Draper wanted to thank those who offered their services to serve on boards and those who are currently serving.

There being no further business to come before the council at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Jenkins; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper nays: Council Member Little. The motion carried and the meeting was adjourned at approximately 6:49 o'clock p.m.